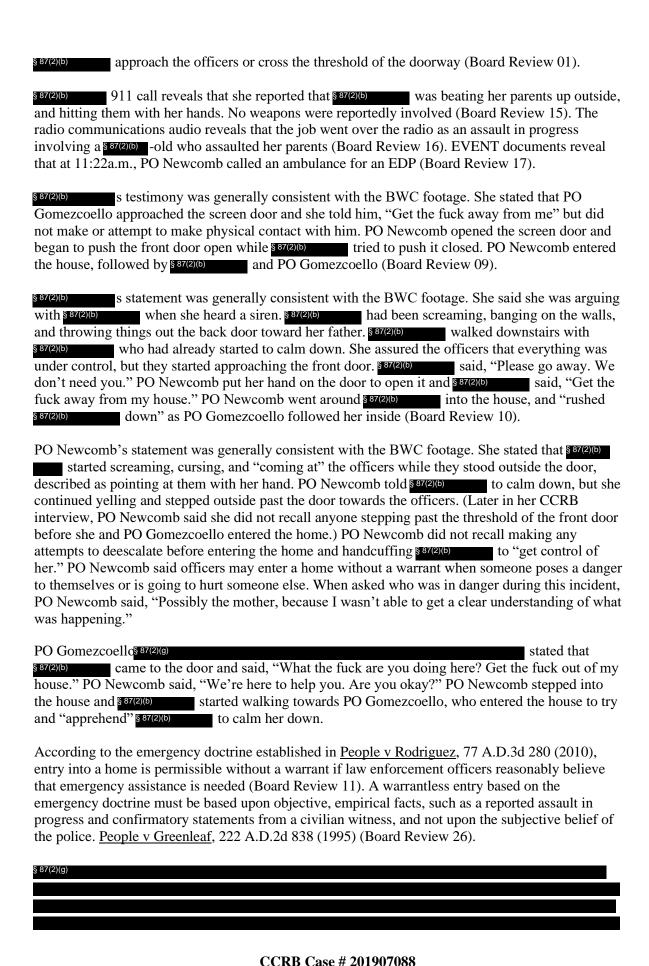
## CCRB INVESTIGATIVE RECOMMENDATION

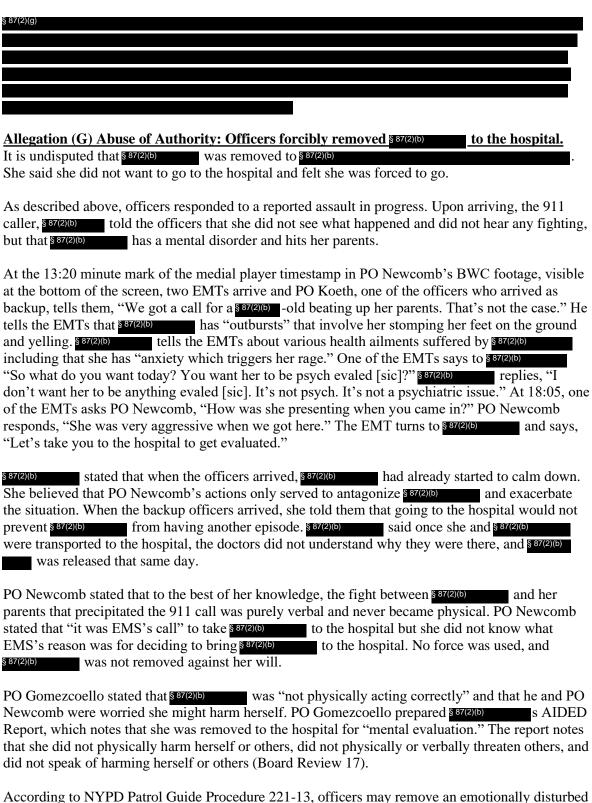
Investigator:		Team:	CCRB Case #:	V	Force		Discourt.	U.S.
Robert Bryan		Squad #13	201907088	<b>☑</b>	Abuse		O.L.	☐ Injury
		•						_
Incident Date(s)		Location of Incident:		F	Precinct:	18	Mo. SOL	EO SOL
Friday, 08/09/2019 11:22 AM		§ 87(2)(b)			123	2	2/9/2021	9/26/2021
Date/Time CV Reported		CV Reported At:	How CV Reported:		Date/Time	Rece	eived at CC	RB
Fri, 08/09/2019 3:22 PM		CCRB	Phone		Fri, 08/09/	2019	3:22 PM	
Complainant/Victim	Туре	Home Addre	ess					
Subject Officer(s)	Shield	TaxID	Command					
1. POM Marco Gomezcoello	12082	965142	123 PCT					
2. POF Hope Newcomb	17383	944847	123 PCT					
3. Officers			123 PCT					
Witness Officer(s)	Shield N	o Tax No	Cmd Name					
1. POF Angela Tanzillostrong	01565	962829	123 PCT					
2. POM Tomasz Roginski	03512	955405	123 PCT					
3. POM Matthew Koeth	05230	932861	123 PCT					
4. POM Francis Li	16450	944737	123 PCT					
Officer(s)	Allegatio	on			Inve	stiga	ator Recor	nmendation
A.POF Hope Newcomb	Abuse: P § 87(2)(b)	olice Officer Hope New in Stat	comb entered ten Island.					
B.POM Marco Gomezcoello	Abuse: P § 87(2)(b)	olice Officer Marco Gor in Stat	mezcoello entered ten Island.					
C.POF Hope Newcomb	Force: Poagainst	olice Officer Hope News	comb used physical	forc	e			
D.POM Marco Gomezcoello	Force: Po	olice Officer Marco Gon inst § 87(2)(b)	nezcoello used physi	ical				
E.POF Hope Newcomb		olice Officer Hope Neworeathing.	comb restricted § 87(2)	(b)				
F.POF Hope Newcomb	Abuse: P	olice Officer Hope New	comb threatened to	arre	st			
G. Officers	Abuse: Chospital.	Officers forcibly removed	d § 87(2)(b) to the	e				

## **Case Summary**

called the CCRB and filed this complaint on behalf of herself, her On August 9, 2019, § 87(2)(b) 17-year-old daughter, § 87(2)(b) and her husband/§ 87(2)(b) s father, § 87(2)(b) At approximately 11:22 a.m. on August 9, 2019, Police Officer Hope Newcomb and Police Officer Marco Gomezcoello, both of the 123<sup>rd</sup> Precinct, arrived at \$87(2)(b) ■ in Staten Island in response to a report of an assault in progress. \$87(2)(b) opened the door and spoke to the officers briefly before \$87(2)(b) started yelling and cursing at the officers from inside the house. PO Newcomb and PO Gomezcoello entered the house (Allegations A-B – Abuse of Authority – ). The officers used physical force against § 87(2)(b) Entry of Premises; § 87(2)(g) restricted her breathing (Allegations C-D – Force – Physical Force; \$87(2)(9) ; Allegations E – Force – Restricted Breathing; § 87(2)(9) ). PO Newcomb threatened to arrest § 87(2)(b) (Allegation F – Abuse of Authority – Threat of Arrest; §87(2)(9) ). In addition to EMS, PO Angela Tanzillostrong, PO Tomasz Roginski, PO Francis Li, and PO Matthew Koeth, all of the 123<sup>rd</sup> Precinct, arrived to provide backup. Officers forcibly removed 887(2)(b) to the hospital (Allegations G – Abuse of Authority – Forcible Removal to Hospital; \$87(2)(9) BWC footage from PO Newcomb, PO Gomezcoello, PO Tanzillostrong, PO Roginski, PO Li, and PO Koeth is attached to IAs #56-62 (Board Review 01-07) and summarized in IA #78 (Board Review 08). **Findings and Recommendations** Allegation (A) Abuse of Authority: Police Officer Hope Newcomb entered 887(2)(6) ■ in Staten Island. Allegation (B) Abuse of Authority: Police Officer Marco Gomezcoello entered in Staten Island. At the 00:50 minute mark of the media player timestamp of PO Newcomb's BWC footage, visible at the bottom of the screen, as PO Newcomb approaches the house of the 911 caller, \$87(2)(5) exits the front door and says, "It's not here. It's next door." PO Newcomb asks, "Did you see something?" \$87(2)(6) replies, "No, but we hear." PO Newcomb says, "You hear fighting?" \$37(2)(b) says, "No. She has a mental disorder and she beats up- she hits her parents." At 01:15, PO Gomezcoello knocks on \$87(2)(b) s door and says, "Police." Approximately 10 opens the door partially while telling §87(2)(b) who is still inside of the house and dressed in a bathrobe, "Stop it, stop it. Go upstairs. Relax." PO Gomezcoello asks what is going on and \$87(2)(b) calls out, "Mind your business." \$87(2)(b) exits the house, stands in front of the door, and closes it behind her completely. She tells the officers that \$37(2)(b) has a neurological problem for which she has been unable to get the proper care. PO Newcomb turns away to radio for an ambulance for an "EDP." At the 01:30 minute mark of the media player timestamp of PO Gomezcoello's BWC footage, PO Gomezcoello asks \$37(2)(b) she is ok. § 87(2)(b) says she is okay and places her hand to her face. At 01:48 in PO Newcomb's BWC footage, once PO Newcomb has turned to face the door again, opens the door completely and yells, "This is why we let Dad handle this, because you don't know how to handle..." PO Newcomb interrupts her by saying, "Knock it off," walks and starts approaching the front door while \$87(2)(b) is still inside. \$87(2)(b) is holding her robe closed with her left hand, points at §87(2)(b) with her right hand while talking, and she waves her right hand as PO Newcomb approaches her. §87(2)(b) anything in her hands and her robe does not appear to have pockets. At 01:53, when PO Newcomb has almost reached the front door, [87(2)[6] says, "Get the fuck away from me." At 01:54, PO Newcomb's left hand can be seen on \$87(2)(b) s right shoulder. PO Newcomb enters the house, followed by PO Gomezcoello, while \$87(2)(b) yells, "Get off me!" The officers attempt to immediately upon entering the house. At no point prior to the entry does

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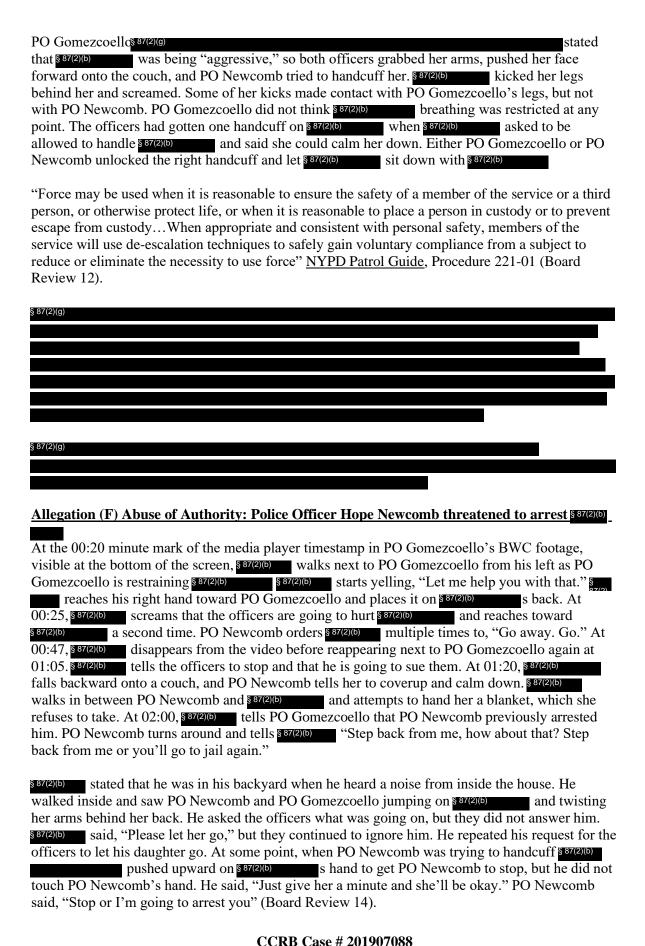


According to NYPD Patrol Guide Procedure 221-13, officers may remove an emotionally disturbed person to the hospital if the person is conducting himself in a manner which an officer reasonably believes is likely to result in serious injury to himself or others (Board Review 18).

§ 87(2)(g)

§ 87(2)(g)
Allegation (C) Force: Police Officer Hope Newcomb used physical force against 887(2)(b) Allegation (D) Force: Police Officer Marco Gomezcoello used physical force against 887(2)(b)
Allegation (E) Force: Police Officer Hope Newcomb restricted 887(2)(b) s breathing.
At the 01:35 minute mark of PO Gomezcoello's BWC footage, PO Newcomb enters the house.
yells, "Get the fuck away from me. Get the fuck off me." PO Newcomb's left arm is
seen wrapped around \$87(2)(b) s body. At 01:43, PO Gomezcoello tells \$87(2)(b) "Put your hands behind your back." \$87(2)(b) says, "No," and pushes off of PO Newcomb. At the
02:00 minute mark of the media player timestamp in PO Newcomb's BWC footage, visible at the
bottom of the screen, PO Gomezcoello grabs \$87(2)(b) s arms with both hands from behind and
pushing her over the side of a couch while she screams for him to get off her. PO Newcomb's
hands are not visible until 02:23, when she tries to grab §87(2)(b) s left arm. At 02:23, PO
Gomezcoello's presses his forearm against the upper portion of \$87(2)(b) s back while she is
bent forward over the arm of the couch. At 02:38, PO Newcomb grabs \$87(2)(b) s right arm and
twists it behind her back. Starting at 02:45, [887(2)(6)] yells for 15 seconds straight that she is going to have a stroke, and both her parents yell at the officers to stop before she has a stroke. At
03:10, \$87(2)(b) falls onto the couch seats and is pushed by PO Newcomb onto \$87(2)(b) s
lap on an adjacent couch. §87(2)(b) s legs are not visible in most of the footage, but in the
footage where her legs are visible, she is not kicking her legs. The BWC footage does not show
whether PO Newcomb ever pushed \$87(2)(b) s face into a pillow.
stated that when PO Newcomb entered the house, she grabbed \$87(2)(b) with two hands, pushed her down over the arm of the couch, and pushed her face into a pillow of the couch so that she could not breathe. \$87(2)(b) s feet remained on the floor while she was held in this position. \$87(2)(b) tried to get away from PO Newcomb, but she did not hit PO Newcomb or do anything else to resist. PO Newcomb continued trying to pull \$87(2)(b) s arms behind her back. PO Gomezcoello told PO Newcomb to stop, but PO Newcomb kept trying to restrain \$87(2)(b) About six additional officers arrived and entered the house, and just as they walked in the front
door, PO Newcomb stopped trying to handcuff \$87(2)(b) s testimony was generally consistent with \$87(2)(b) s.
generally consistent with south 5.
PO Newcomb stated that she grabbed \$57(2)(b) s right wrist with her right hand and entered the house, with PO Gomezcoello following immediately behind her. PO Newcomb pulled \$57(2)(b) s hands behind her back and leaned her forward so that she was pressed face-down against the
couch. § 87(2)(b) tried to kick PO Newcomb while PO Newcomb tried to handcuff her. PO
Gomezcoello might have attempted to assist by grabbing one of \$87(2)(b) s arms (PO
Newcomb could not recall for sure), but she signaled to him with her hand that she did not need his
help. PO Newcomb did not restrict \$87(2)(b) s breathing. \$87(2)(b) yelled, "She's going to
have a stroke!" PO Newcomb asked what \$87(2)(5) was talking about. PO Newcomb was able
to get one handcuff on one \$87(2)(b) s wrists, but \$87(2)(b) wiggled her hand out. \$87(2)(b) said, "I can calm her down," so PO Newcomb let go of \$87(2)(b) and told \$87(2)(b) to
calm her down.

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reached his han could not recall arrested, and PC	aid as she and PO Gor d toward where PO Ne if he made physical co	ontact. He said something about he back up or he would be arrested	s wrist. PO Newcomb aving previously been
administration v		aw 195.05, a person is guilty of obstructs, impairs or perverts the all Review 14).	
§ 87(2)(g)			
<ul><li>been a j</li><li>PO New member</li></ul>	the first CCRB complate party (Board Review 19 woomb has been a memor of service for two year med a subject.	9-21).  Aber of service for 12 years and Pars, and this is the first CCRB cor	nplaint in which either has
• § 87(2)(b)		ion, Civil and Criminal Histori nd § 87(2)(6) declined to mediate	
<ul><li>As of M Comptr</li><li>Accord</li></ul>	Iarch 31, 2020, no Not oller's Office regardinging to the Office of Co	ice of Claim has been filed with to g this incident (Board Review 25 urt Administration (OCA), neither ory of convictions in New York C	the New York City ). er § <sup>87(2)(b)</sup>
Squad 13			
Investigator:	Robert Bryan Signature	Robert Bryan Print Title & Name	4/22/2020 
Squad Leader: _	IM Laura Kastner	IM Laura Kastner	04/23/2020

Print Title & Name

Signature

Date